IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

WYNDHAM VACATION)
RESORTS, INC.,)
Plaintiff,)
riamum,)
v.) Case No. 3:09cv00899
)
TOA, LLC d/b/a) JUDGE HAYNES
THE OWNERS' ADVOCATE,)
DAVID HUMPHREY a.k.a.) JURY DEMAND
SCOTT DAVIDSON,)
KURT W. BARTLETT and)
KAY METKO,)
)
Defendants.)

SUGGESTION OF BANKRUPTCY

Comes now TOA, LLC d/b/a The Owners' Advocate, a Chapter 7 debtor and states as follows:

TOA, LLC d/b/a The Owners' Advocate, suggests upon the record that it filed a voluntary petition in bankruptcy under Chapter 7 of Title 11 of the United States Code on December 7, 2009, commencing a bankruptcy case pending in the United States Bankruptcy Court for the Central District of California, Santa Barbara Division, and docketed as Case No. 9:09-bk-15116-RR. A copy of the Notice of the filing of the bankruptcy is attached hereto and incorporated by reference herein as **Exhibit 1**.

By operation of law commencing on the date of the filing of the bankruptcy all of the debtor's non-exempt assets became the property of its Chapter 7 Trustee, Sandra McBeth.

The above-styled civil action to the extent it concerns TOA, LLC d/b/a The Owners' Advocate, is automatically stayed pursuant to the provisions of 11 U.S.C. § 362.

Dated this 8th day of December, 2009.

Respectfully submitted,

TREVOR W. HOWELL, ESQ.

/s/ Trevor W. Howell

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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2009, I electronically transmitted the above and foregoing **Suggestion of Bankruptcy** to the Clerk of the Court using the CM/ECF System for filing and that true and correct copies of the foregoing have been served through the Court's ECF filing system as follows:

Courtney H. Gilmer William A. Lewis Baker, Donelson, Bearman, Caldwell & Berkowitz, PC Baker Donelson Center 211 Commerce Street, Suite 1000 Nashville, TN 37201

Christopher W. Cardwell Gullett, Sanford, Robinson & Martin, PLLC P. O. Box 198888 Nashville, TN 37219-8888

/s/ Trevor W. Howell

Trevor W. Howell